REMARKS

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application.

§102 Rejections

Claims 1-26 and **32-36** are rejected under 35 U.S.C. §102(e) as being allegedly anticipated by US Patent 6,012,088 to Li et al. (hereinafter, "Li"). Applicant respectfully traverses the rejection.

Li teaches an Internet access device that uses an automatic configuration process to configure itself for communication with the Internet at a customer site. A customer enters a registration identification number and a telephone number onto the Internet access device. The Internet access device can then automatically connect to the Internet, download configuration data from a configuration server containing customer site specific configuration data, and automatically configure itself for communication with the Internet. (Abstract).

Independent **claim 1** recites in part:

> receiving an identifier associated with a computing system and/or computing system user; and
> automatically modifying computing system resources based, at least in part, on an assessment of the computing system resources.

In rejecting claim 1, the Office relies on Li at col. 10, line 66 through col. 11, line 16, and col. 12, lines 1-26. However, Li does not teach all the elements of claim 1 in the cited passages or anywhere else within Li. For example, nowhere does Li teach "automatically modifying computing system resources based . . . on an assessment of the computing system resources" as recited in claim 1. Li does

not teach making an assessment of computing system resources, or that computing system resources are modified based on such an assessment.

In Li, an ISP generates a registration ID and ships the ID to a customer along with an Internet access device and a telephone number for accessing the ISP. The customer then connects the Internet access device to his computer system and begins the automatic configuration process by entering the registration ID onto the Internet access device. The customer enters the telephone number provided by the ISP into the Internet access device which allows the Internet access device to gain an initial temporary connection with the ISP. The Internet access device determines if the registration ID is valid, and if so, the Internet access device begins an automatic configuration process to configure itself for communication with the Internet. The automatic configuration process includes the Internet access device automatically locating a configuration server after connecting to the ISP. The Internet access device requests a configuration record for itself, downloads the configuration record, and then automatically configures itself for communication with the Internet using the configuration record. (col. 10, line 66 through col. 11, line 16, and col. 12, lines 1-26 and lines 38-48).

However, in Li, the configuration of the Internet access device does not depend upon an assessment of computing system resources of the Internet access device. There is no assessment of computing system resources in Li that is used as a basis for modifying the computer system resources. In Li, an Internet access device is configured on the basis of a registration ID that it provides to a configuration server, and not on the basis of an assessment of its computing system resources. In Li, the configuration record is downloaded to the Internet access device based on the registration ID. The Internet access device can then

automatically configure itself for communication with the Internet using information contained in the configuration record. The configuration record contains information such as the customer domain name, the customer LAN network IP address, the Internet access device IP address, the DHCP range, time zone and NTP servers for time configuration, IP addresses for forwarding name servers, PPP account log in and password information, web mirroring configuration information, and mail configuration information. (col. 14, lines 50-65).

Accordingly, it is clear that Li does not teach all the elements of claim 1. A §102 anticipation rejection requires that a cited reference teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found". Anticipation requires that "The identical invention must be shown in as complete detail as is contained in the . . . claim". (MPEP 2131).

Because Li does not teach all the elements of claim 1, the §102 anticipation rejection of claim 1 based on Li is not supported. Applicant therefore respectfully requests that the §102(e) rejection of claim 1 be removed.

Claims 2-12 depend from claim 1, and thereby incorporate each of the elements of claim 1. Accordingly, claims 2-12 are allowable at least on the basis of this dependency, in addition to the further elements recited therein which are neither shown nor suggested by the cited reference. Applicant therefore respectfully requests that the §102(e) rejection of claims 2-12 be removed.

Independent **claim 13** recites in part:

> a configuration agent, coupled to the storage device, to receive an identifier associated with a computing system and/or computing system user and automatically modify resources of the computing system based, at least in part, on an assessment of the computing

system resources.

Claim 13 includes elements which parallel those discussed above regarding claim 1. For example, claim 13 recites "automatically modify resources of the computing system based, at least in part, on an assessment of the computing system resources". As noted above, Li does not teach an assessment of computer system resources. Furthermore, Li does not teach modifying resources of a computing system based on such an assessment. Rather, in Li, an Internet access device is configured solely on the basis of a registration ID that the Internet access device provides to a configuration server, and not on the basis of an assessment of its computing system resources.

Accordingly, for at least the same reasons indicated above regarding claim 1, the rejection of claim 13 is also not supported. Applicant therefore respectfully requests that the §102(e) rejection of claim 13 be removed.

Claims 14-20 depend from claim 13, and thereby incorporate each of the elements of claim 13. Accordingly, claims 14-20 are allowable at least on the basis of this dependency, in addition to the further elements recited therein which are neither shown nor suggested by the cited reference. Applicant therefore respectfully requests that the §102(e) rejection of claims 14-20 be removed.

Independent **claim 21** recites in part:

> to automatically modify resources of the computing system based, at least in part, on an assessment of computing system resources.

Claim 21 includes elements which parallel those discussed above regarding claim 1. For example, claim 21 recites "automatically modify resources of the computing system based, at least in part, on an assessment of the computing

system resources". As noted above, Li does not teach an assessment of computer system resources. In addition, Li does not teach modifying resources of the computing system on the basis of such an assessment. Rather, in Li, an Internet access device is configured solely on the basis of a registration ID that the Internet access device provides to a configuration server, and not on the basis of an assessment of its computing system resources.

Accordingly, for at least the same reasons indicated above regarding claim 1, the rejection of claim 21 is also not supported. Applicant therefore respectfully requests that the §102(e) rejection of claim 21 be removed.

Claims 22-26 depend from claim 21, and thereby incorporate each of the elements of claim 21. Accordingly, claims 22-26 are allowable at least on the basis of this dependency, in addition to the further elements recited therein which are neither shown nor suggested by the cited reference. Applicant therefore respectfully requests that the §102(e) rejection of claims 22-26 be removed.

Independent **claim 32** recites in part:

> computing system resources are automatically installed and configured on the computing system based, at least in part, on an assessment of current computing system resources of the computing system.

Claim 32 includes elements which parallel those discussed above regarding claim 1. For example, claim 32 recites that computing system resources are "automatically installed and configured on the computing system based . . . on an assessment of current computing system resources of the computing system". As noted above, Li does not teach an assessment of computer system resources. Furthermore, Li does not teach installing and configuring computing system

resources based on such an assessment. In Li, an Internet access device is configured on the basis of a registration ID that it provides to a configuration server, and not on the basis of an assessment of its computing system resources.

Accordingly, for at least the same reasons indicated above regarding claim 1, the rejection of claim 32 is also not supported. Applicant therefore respectfully requests that the §102(e) rejection of claim 32 be removed.

Claims 33-36 depend from claim 32, and thereby incorporate each of the elements of claim 32. Accordingly, claims 33-36 are allowable at least on the basis of this dependency, in addition to the further elements recited therein which are neither shown nor suggested by the cited reference. Applicant therefore respectfully requests that the §102(e) rejection of claims 33-36 be removed.

§103 Rejections

Claims 27-31 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over US Patent 6,012,088 to Li in view of US Patent 6,212,585 to Chrabaszcz. Applicant respectfully traverses the rejection.

Independent **claim 27** recites in part:

> a controller, coupled to the storage device and the network interface, to execute at least a subset of the plurality of executable instructions to make an assessment of current hardware and/or software resources of the computing system, and to implement a basic input/output system (BIOS) to issue a configuration request to the network via the network interface, the configuration request based on the assessment and including an identifier associated with the computing system.

Claim 27 includes elements which parallel those discussed above regarding claim 1. For example, claim 27 recites making "an assessment of current

hardware and/or software resources of the computing system" and issuing "the configuration request based on the assessment". As noted above, Li does not teach an assessment of computer system resources or making modifications to computing system resources based on such an assessment. Furthermore, Li does not teach making a configuration request based on an assessment of computer hardware and software resources.

Chrabaszcz is cited only for its purported discussion of automatically configuring a device upon booting, and not for any teaching or suggestion of making an assessment of computer system resources, making modifications to computing system resources based on such an assessment, or making a configuration request based on an assessment of computer hardware and software resources, as generally recited in Applicant's claims. Furthermore, Applicant cannot find any such teaching or suggestion in Chrabaszcz regarding an assessment of computer system resources or making modifications to computing system resources or configuration requests based on such an assessment. Accordingly, Chrabaszcz does not remedy the deficiencies of Li noted above, and claim 27 is allowable over the combination of these two references.

A prima facie case of obviousness requires that the prior art reference (or references when combined) must teach or suggest all the claim limitations (MPEP 2142, 2143). Therefore, the §103(a) rejection of claim 27 is not supported by the cited references, and Applicant respectfully requests that the rejection be withdrawn.

Claims 28-31 depend from claim 27, and thereby incorporate each of the elements of claim 27. Accordingly, claims 28-31 are allowable at least on the basis of this dependency, in addition to the further elements recited therein which

are neither shown nor suggested by the cited references, alone or in combination. Accordingly, Applicant respectfully requests that the §103(a) rejection of claims 28-31 be removed.

Conclusion

All pending claims are believed to be in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully Submitted,

Dated: 11/19/04 By: Matt R. Rieth

Nathan R. Rieth
Reg. No. 44302
(509) 324-9256; X233